thirty days after the end of each quarter of the subsidy year, file with the person offering the subsidy a ''Financial Status Report'' which shall include the information prescribed in the method for calculating the actual subsidy as specified in §§ 1155.6, 1155.7, and 1155.9. The format of the ''Financial Status Report'' is prescribed in Appendix II. Significant deviations from the original estimates must be explained. In all reports, the actual data reflecting the year to date shall show a projection to the end of the subsidy year for each item, except that off-branch costs shall be estimated during the subsidy year by applying the ratio developed in accordance with § 1155.3(d) to the revenues.

Unless the parties agree otherwise, the last Financial Status Report filed during the first ten months of the subsidy year shall be the basis for developing the estimated subsidy payment for the subsequent year's agreement. The Financial Status Reports should be considered detailed progress reports monitoring the actual costs and revenues involved for operating rail service on the branch throughout the subsidy year; the Financial Status Reports are not to be considered as ''progress billings'' for subsidy services performed.

(c) *Interpretations of the Standards.* Parties desiring an interpretation of the standards should file a written petition with OTA citing the section involved and setting forth their position and rationale. If the request arises from a dispute with other parties, the petitioner shall identify those parties and serve each of them with a copy of the petition. Parties desiring to file a reply must do so within 10 days of their receipt of the petition. OTA will issue an interpretation, unless it concludes that the matter raised requires amendment of the standards, in which case OTA will institute a rulemaking proceeding. The address of OTA is:

Office of Transportation Analysis, Rail Service Planning Office, Interstate Commerce Commission, Washington, D.C. 20423.

[43 FR 1692, Jan. 11, 1978. Redesignated at 47 FR 49582, Nov. 1, 1982, and amended at 48 FR 34476, July 29, 1983]

§ 1155.5   Year-end adjustment.

(a) On the basis of the railroad's year-end Final Status Report and the net impact of inflation developed in §§ 1155.7(n)(5) and 1155.8(e), the subsidy payment shall be adjusted to reconcile any differences between the subsidy payments actually made based on the estimated subsidy and the actual subsidy calculated from data reflecting the actual revenues and costs experienced in the operation of the branch during the subsidy year.

(b) Where an adjustment results in an increase in the estimated subsidy payment, the amount of such increase in excess of 15 percent of the estimated subsidy shall be treated as a carryover advoidable cost in the subsequent subsidy year. This provision shall apply unless:

(1) The railroad notifies the subsidizer in one of the Financial Status Reports issued during the first ten months of the subsidy year that the estimate will be exceeded by more than 15 percent, or

(2) The increase results from an expense approved in advance by the person offering the subsidy.

(c) Should the year-end adjustment reflect an overpayment by the person offering the subsidy, the amount of overpayment shall be reimbursed by the railroad.

[43 FR 1692, Jan. 11, 1978, as amended at 45 FR 27447, Apr. 23, 1980. Redesignated at 47 FR 49582, Nov. 1, 1982]

§ 1155.6   Revenue and income attributable to branch lines.

The revenue attributable to the rail properties is the total of the revenues assigned to the branch in accordance with this section, plus any subsidy payments that would cease upon discontinuance of service on the branch, for the subsidy year. The revenues assigned shall be derived from the following accounts:

(a) *Account 101-Freight.* The revenues assigned under this account shall be the actual revenues, including transit revenues, accruing to the railroad, derived from waybills and other source documents, for all traffic that:

(1) Originates or terminates on the branch;